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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/791,851	03/04/2004	Shingo Sawahara	1248-0702P	5312
2292	7590	03/10/2005	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH			CHAN, WING F	
PO BOX 747			ART UNIT	
FALLS CHURCH, VA 22040-0747			PAPER NUMBER	
			2643	
DATE MAILED: 03/10/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/791,851

Applicant(s)

SAWAHARA ET AL.

Examiner

Wing F. Chan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 3/4/04 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>3/4/04, 721/04, 9/29</u> . | 6) <input type="checkbox"/> Other: _____ |

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1. Figures 10a-10c, 11a-11c should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-11, 18-28, 35-42, 49, 50 are rejected under 35 U.S.C. 102(b) as being anticipated by Kawasaki et al (US PUB. NO. 2002/0142810 hereinafter Kawasaki).

Kawasaki discloses a foldable multifunctional mobile electronic device having a mobile phone function, a digital camera function, etc. as claimed. Kawasaki's device comprises a main body 1 and a cover portion 11 having inner and outer surfaces as claimed, having a main display 13, a sub display 21, a camera lens section 22, where either the main display or the sub display serves as a finder for the camera, and a shutter button 14i. Kawasaki also teaches the displays provide the user with caller identification information. See abstract, Figs. 1A-11, [0002, 0005, 0010-0012, 0019, 0033, 0046-0086, 0018-0019] for example.

4. Claims 1-50 are rejected under 35 U.S.C. 102(a) as being anticipated by Kitamura et al (JP 2003-298884 hereinafter Kitamura).

As to claims 1-33, 35-50, Kitamura discloses a foldable multifunctional mobile electronic device having a mobile phone function, a digital camera function, etc. as claimed. Kitamura's device comprises a main body and a cover portion (see Fig. 1) having inner and outer surfaces, having a main display 106, a sub display 107, a first camera lens section 102, a second camera section 101, where either the main display or the sub display serves as a finder for the camera, and shutter buttons (110) for controlling the cameras. Kitamura also teaches the displays provide the user with caller identification information. See abstract, Figs. 1-10, [0014-0062] for example.

As to claim 34, see Fig. 5b, which shows simultaneously displaying two images on the main display.

5. Claims 1-33, 35-50 are rejected under 35 U.S.C. 102(e) as being anticipated by Sato et al (US PUB. NO. 2004/0048633 hereinafter Sato).

As to claims 1-33, 35-50, Sato discloses a foldable multifunctional mobile electronic device having a mobile phone function, a digital camera function, etc. as claimed. Sato's device comprises a main body and a cover portion (see Figs. 1A, 1B) having inner and outer surfaces, having a main display 11, a sub display 7, a first camera lens section 10, a second camera section 8, where either the main display or the sub display serves as a finder for the camera, and shutter buttons for controlling the cameras. Sato also teaches the displays provide the user with caller identification information. See abstract, Figs. 1-5, [0020-0026, 0069-0112] for example.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wing F. Chan whose telephone number is 703-305-4732. The examiner can normally be reached on Monday to Friday from 9 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on 703-305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Wing F. Chan', written in a cursive style.

Wing F. Chan
Primary Examiner
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3/7/05